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ATTORNEYS FOR PLAINTIFFS KAREN LUCIA AND JEFFREY LUCIA

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

KAREN LUCIA and JEFFREY LUCIA, on  
behalf of themselves and all others similarly  
situated,

Plaintiffs,

vs.

WELLS FARGO BANK, N.A. d/b/a WELLS  
FARGO HOME MORTGAGE and DOES 1  
through 10,

Defendants.

Case No. CV10 4749 JSW

**STIPULATION TO MODIFY  
BRIEFING SCHEDULE ON MOTION  
TO DISMISS; ~~PROPOSED~~ ORDER**

**(Class Action)**

Assigned to the Honorable Jeffrey S. White

Action Filed on October 20, 2010

1 WHEREAS, on December 3, 2010, Defendant filed a Motion to Dismiss, which was  
2 initially set for hearing on March 4, 2011;

3 WHEREAS, pursuant to the Court's December 6, 2010 Order Setting Briefing Schedule  
4 on Motion to Dismiss, the briefing schedule was advanced, such that Plaintiff's opposition to  
5 Defendant's motion to dismiss is due by December 20, 2010, and Defendant's reply brief is due  
6 by January 3, 2011;

7 WHEREAS, the Court's December 6, 2010 Order provided that the parties could submit  
8 for the Court's consideration a stipulation to modify the aforementioned briefing schedule for  
9 good cause;

10 WHEREAS, due to their current workloads and the holiday season, Plaintiff's counsel  
11 have requested, and Defendant's counsel have agreed, to mutually extend the opposition and  
12 reply briefing schedule in order to provide the parties with sufficient time to adequately brief the  
13 issues raised in the Motion;

14 WHEREAS, because the office of Plaintiff's co-counsel, Public Counsel, will be closed  
15 for the week between Christmas and New Year's Day (December 27 – 31, 2010), Plaintiff's  
16 counsel have requested, and Defendant's counsel have agreed, to mutually extend the opposition  
17 and reply briefing deadlines by three weeks; and

18 WHEREAS, good cause exists for a modification of the current briefing schedule, no  
19 prejudice will result to any party from the modification requested herein, and the requested  
20 modification will not alter the March 4, 2011 hearing date on the motion to dismiss set by the  
21 Court.

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1           THEREFORE, pursuant to Civil Local Rules 6-2 and 7-12, the parties hereby stipulate,  
2 subject to Court approval, that Plaintiff's opposition to Defendant's motion to dismiss will be  
3 filed no later than January 10, 2011, and Defendant's reply brief will be filed no later than  
4 February 14, 2011.

5 **IT IS SO STIPULATED.**

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7 DATED: December 9, 2010

**STRANGE & CARPENTER**

9 By: /s/ Gretchen Carpenter  
10 Gretchen Carpenter  
11 Attorney for Plaintiffs Karen and Jeffrey Lucia

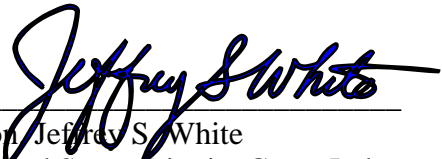
12 DATED: December 9, 2010

**K&L GATES**

14 By: /s/ David Christensen  
15 David Christensen (*pro hac vice*)  
16 Attorney for Defendant Wells Fargo Bank, N.A.

17 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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20 DATED: December 10, 2010

21 By:   
22 Hon. Jeffrey S. White  
23 United States District Court Judge  
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